



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 30071/32009A

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under 37 CFR 1.53 for filing a DIVISIONAL application based on co-pending U.S. Patent Application Serial No. 09/786,150.

1. Particulars of Prior Application

Application Serial No:	09/786,150
Filed on:	June 4, 2001
Title:	Beverage Can with a Protective Cover, a Blank for a Protective Cover, as well as a Method and Device for Application of a Protective Cover to Beverage Cans
Art Unit:	3727
Examiner:	Robin Annette Hylton

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Continued Prosecution Application Request Transmittal Under 37 CFR 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **October 28, 2003**, in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV 323 778 834 US.

2. This request is filed by:

1. Full Name of Inventor	Family Name Kronseder	First Given Name Volker	Second Given Name
Residence & Citizenship	City Neutraubling	State or Foreign Country Germany	Country of Citizenship Germany
Post Office Address	Post Office Address An der Pirkacher Breite 5	City Neutraubling	State & Zip Code/Country Germany 93073
2. Full Name of Inventor	Family Name Maschke	First Given Name Stephan	Second Given Name
Residence & Citizenship	City Neutraubling	State or Foreign Country Germany	Country of Citizenship Germany
Post Office Address	Post Office Address An der Pirkacher Breite 16	City Neutraubling	State & Zip Code/Country Germany 93073
3. Full Name of Inventor	Family Name Spindler	First Given Name Reinhold	Second Given Name
Residence & Citizenship	City Sünching	State or Foreign Country Germany	Country of Citizenship Germany
Post Office Address	Post Office Address Adlerstrasse 6	City Sünching	State & Zip Code/Country Germany 93104

☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

3. Amendments

- ☒ A Preliminary Amendment is enclosed.
- ☒ The filing fee is based upon entry of the foregoing amendment(s) (if any).

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. Priority

- ☒ Priority of application No. 199 47 273.4, filed on September 30, 1999 in Germany ; application No. 199 56 784.0, filed on November 25, 1999 in Germany; and international application No. PCT/EP00/06929, filed on July 20, 2000 in Europe is claimed under 35 USC 119.
- ☐ The certified copy(ies) was(were) filed in prior U.S. application Serial No. .
- ☐ The certified copy(ies) has(have) not been filed.

7. Assignment

- ☒ The prior application is assigned of record to Kronos AG, and has been recorded at Reel No. 011856, Frame No. 0611.

8. Small Entity Status

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A small entity statement is(are) attached.

9. Application to Be Published

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

10. Fee Calculation

CLAIMS AS FILED - INCLUDING AMENDMENT(S) (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL	35 - 20	= 15	X 9 =	\$	X 18 =	\$270.00
INDEP.	3 - 3	= 0	X 42 =	\$	X 84 =	\$
First Presentation of Multiple Dependent Claim			+ 140 =	\$	+ 280 =	\$
Filing Fee:				\$	OR	\$1040.00

11. Method of Payment of Fees

- ☒ Attached is a check in the amount of: \$1040.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$
A copy of this Transmittal is enclosed.

12. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

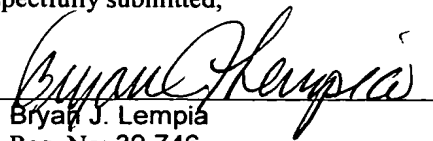
Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

13. Correspondence Address

Customer No.: 04743

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read "Bryan J. Lempia", is written over a horizontal line.

Bryan J. Lempia

Reg. No: 39,746

MARSHALL, GERSTEIN & BORUN LLP

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October 28, 2003